

PROB 12A  
(6/16)**United States District Court**

for the

**Eastern District of Washington**FILED IN THE  
U.S. DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON**Oct 19, 2023**

SEAN F. McAVOY, CLERK

**Report on Offender Under Supervision**  
**(No Action Requested)**

Name of Offender: Jose Luis Garcia Case Number: 0980 4:21CR06005-SAB-1

Name of Sentencing Judicial Officer: The Honorable Stanley A. Bastian, Chief U.S. District Judge

Date of Original Sentence: October 5, 2022 Type of Supervision: Term of Supv Rel

Original Offense: Possession With Intent to Distribute 5 Grams or More of Actual (Pure) Methamphetamine, 21 U.S.C. § 841(a)(1), (b)(1)(B) Date Supervision Commenced: February 15, 2023

Original Sentence: Prison 4 M; TSR - 48 M Date Supervision Expires: February 14, 2027

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**NONCOMPLIANCE SUMMARY**

Mr. Garcia's conditions of supervised release were reviewed with and accepted by him on February 17, 2023.

The offender has not complied with the following condition(s) of supervision:

| <u>Violation Number</u> | <u>Nature of Noncompliance</u>   |
|-------------------------|--|
| 1                       | <p><b><u>Special Condition #3:</u></b> You must abstain from the use of illegal controlled substances, and must submit to urinalysis and sweat patch testing, as directed by the supervising officer, but no more than 6 tests per month, in order to confirm continued abstinence from these substances.</p> <p><b><u>Supporting Evidence:</u></b> Mr. Garcia reported to the U.S. Probation Office in Richland, Washington, on August 16, 2023. He submitted a drug test that was positive for marijuana. Mr. Garcia admitted to using a vape pen that was his niece's which he found out contained marijuana.</p> |

**U.S. Probation Officer Action:**

Mr. Garcia was placed on the random drug testing colorline at Merit Resource Services (Merit). He has provided drug tests on August 28, 2023; September 11, 2023; and September 26, 2023. The results of these tests have all been positive for marijuana. Abbott Laboratories was contacted and asked to review these drug tests for the levels of marijuana found in Mr. Garcia's urine and to opine if these samples indicated new use of marijuana. On October 9, 2023, Abbott Laboratories responded and it is the opinion of the laboratory that the results of these specimens appear to indicate residual elimination of marijuana and did not indicate any new use of the substance.

Since Mr. Garcia's admission to the use of marijuana, he has been in weekly contact with the undersigned officer and his drug testing frequency has increased. Based on his admission to his use, weekly contact with probation and lab results indicating no new use of marijuana, it is respectfully recommended no action be ordered for this violation behavior.

Prob12A

**Re: Garcia, Jose Luis**

**October 18, 2023**

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I declare under penalty of perjury that the foregoing is true and correct.

Executed On:

October 18, 2023

s/Daniel M. Manning

Daniel M. Manning

U.S. Probation Officer

- ☒ Court Concurs with Officer Action  
☐ Submit a Request for Modifying the Condition or Term of Supervision  
☐ Submit a Request for Warrant or Summons  
☐ Other



Signature of Judicial Officer

10/19/2023

Date